

THE BRITISH AND FOREIGN ANTI-SLAVERY REPORTER.

UNDER THE SANCTION OF THE BRITISH AND FOREIGN ANTI-SLAVERY SOCIETY.

LXXXIII. VOL. IV.—No. 4.] LONDON: WEDNESDAY, FEBRUARY 22ND, 1843.

[PRICE 4d.

THE CUBAN SLAVE CODE.

THE Spanish slave laws have usually been cited as milder and more equitable in their character than those of any other country. Undoubtedly they are less brutal and sanguinary than the "Code Noir" of France, the slave regulations of Holland, and the slave-laws of the United States; but to the great mass of the slave populations of Cuba and Puerto Rico, they have afforded no protection whatever: and it may be said with truth, upon the highest and best authority, that, in no part of the world is that class of our fellow-creatures more thoroughly degraded, more cruelly tasked, or more inhumanly treated, than in the possessions of the Spanish Crown.

Having been favoured with a series of remarks on the new code by two gentlemen, long resident in the island of Cuba, and intimately acquainted with the subject, we propose to give them in the order in which they have been forwarded to us, merely adding such observations of our own as may be necessary to connect them together, and to bring the facts of the case under the notice of our readers.

PRELIMINARY REMARKS.

This code was professedly framed with a view of ameliorating the condition of the slaves; it is, however, impossible for one acquainted with the laws for the regulation of slavery previously in force in the Spanish colonies, not to perceive that the real object in the promulgation of this new code is to give additional security to the master, from the danger daily augmenting of insurrection; and that the apprehension of insubordination on the part of the slaves, and not any sympathy with their sufferings or a desire to diminish them, is the true cause of the alteration in the laws recently enacted.

The apprehension in question is not ill founded, and the attempt to conceal it under the specious pretext of a solicitude for the welfare of the slaves, is evident on the face of these regulations, and the proclamation appended to them, which may be regarded as a clear exposition of the spirit in which they have been framed, and intended to be acted upon.

If it had been in the power of any Colonial Government to carry into effect laws of a remedial character for the protection of slaves, the old metropolitan laws for the government and treatment of Spanish slaves were better calculated to secure the proposed object of affording protection to the slave from the tyranny of the master, than any similar laws on the statute-book of any European nation for the treatment of people held in slavery. These laws, however, were not and could not be carried into execution, inasmuch as that execution was entrusted to those who had an interest in defeating them. Nevertheless, the mere circumstance of their existence, and the vague knowledge which the negroes in the vicinity of the large towns had of their existence, had some tendency to prevent signal violations of humanity, and to invest the character of the District Magistrates with a power which they were privileged by that law to exercise, if they were inclined to do so. That power is virtually abrogated by the new code; it is transferred to the Captain-General, and it is only with his special authority that the Country Magistrates are permitted to visit the estates or the dwellings of the slave-holders, and to take cognizance of any outrage committed by them or their agents on their slaves.

ARTICLE I.

It shall be the duty of every owner of slaves to instruct them in the principles of the Roman Catholic Apostolical Religion, in order that they may be baptized, if they have not already been so; and, in case of necessity, he shall baptize them himself, it being certain that under such circumstances any one may do so.

ARTICLE II.

The instruction to which the preceding article refers, is to be given at night after the hours of labour, and he (the owner) shall every evening oblige them to repeat to him the Rosary, or some other devout prayers.

These regulations are to be found in all the Spanish slave codes, but the instances are rare in which they are practically obeyed, with the exception of the mere form of baptism; and no religious instruction is known or tolerated but that of the Roman Catholic church.

ARTICLE III.

On Sundays and festivals, after the slaves shall have fulfilled their religious duties, the master or manager may employ them for the space of two hours, and no longer, in cleaning out the houses and offices; but he shall not employ them in the labours of the field unless it be in the time of crop, or in other duties which do not admit of delay; in which cases they shall labour as on ordinary days.

The benefit which the slave population would derive from this article, if rigidly enforced, would be of the greatest advantage to them; but it is a well-established fact, that during the season of crop, which lasts on the average nearly five months in the year, they are worked from eighteen to twenty hours out of the twenty-four; and ordinarily, during its continuance, can scarcely be said to have more than four hours for repose daily. Out of crop, this regulation will avail them nothing, when the alleged necessities of the master may require their services, either in the

field or about the buildings; and this will be always the case on estates which are short-handed, or on which there has been a great mortality, the victims of which could not be readily replaced by the purchase of new negroes. Even the sacred day of rest may be violated to meet any exigency of the owner, of which he is the sole judge. He can, therefore, under this article, command the labour of his slaves, if he please, for sixteen hours per diem throughout the whole year, Sundays not excepted.

ARTICLE IV.

They (the masters or managers) shall, on their responsibility, take care that the slaves who have been baptized, and who may be of sufficient age, shall have the sacrament of the mass administered to them, at such time as the Holy Mother Church directs, or it may be necessary.

ARTICLE V.

They shall use the utmost pains, and all possible diligence, to make them comprehend the obedience which they owe to the constituted authorities; the obligation to reverence the priests; to respect white persons; to comport themselves properly with people of colour; and to live in harmony among themselves.

The grand object of these articles is the same: the sacraments of the church are enforced as a means of securing obedience to the authorities of the colony, and for the purpose of effecting the other objects set forth in the fifth article.

Perhaps the vilest feature in slavery is the hypocrisy with which the maintenance of its iniquitous interests is invariably connected; but it is probable it never was exhibited in a form so detestable as in the preceding five regulations. The offices of religion are desecrated to the service of slavery, and Christianity itself is made to pander to a system of iniquity which violates all that is righteous in its principles, all that is merciful in its spirit, and all that is humane and holy in its commands.

As a matter of fact, there are few plantations in the island of Cuba where the owners seem to act on the opinion, that the unfortunate beings whom they impiously claim as their property, are possessed of immortal souls. The great majority of them hold, that when the newly-purchased pagan is baptized, and the dying slave anointed, they have complied with all that the law requires, or their duty, as masters, calls on them to perform. To afford religious instruction to the slave population of Cuba, the present establishment in the island is wholly inadequate. It is well known that there are some estates in the most flourishing districts where there is not a church or priest within twenty miles of them. The spiritual wants of the people cannot be supplied by the clergy, and in those parts where they are to be found, the lamentable admission must be made, that the desecrating influence of slavery has extended even to them, and left to Christianity but its name, and to heathenism its triumphs. Under such circumstances, the task of instructing the slaves must mainly devolve on the managers and overseers, and their pursuits and principles are but ill calculated for such an office.

ARTICLE VI.

The masters shall give to their field slaves two or three meals daily, as may appear best to the master, provided that they be sufficient to maintain and to reinvigorate them after their fatigues; it being understood, as of absolute necessity, that the daily nourishment for each individual shall be six or eight plantains, or its equivalent in sweet potatoes, yams, cassava, or other esculent roots; eight ounces of beef or salt fish; and four ounces of rice, meal, or flour.

ARTICLE VII.

The masters shall be obliged to provide the slaves with two dresses annually, in the months of December and May. Each one composed of a shirt and trowsers of duck or osnaburgh, a cap or hat, and a handkerchief. To these in December he shall add, alternately, one year a shirt or jacket of flannel, and another year a blanket, to protect themselves during the winter.

The loose manner, however, in which the regulations respecting food and clothing are worded, demands attention. The quantity of food to be given is noticed, but it is left to the discretion of the master to appropriate it to the use of his slaves in two meals. He may, therefore, withhold from them, from morning until night, the sustenance they may require in order to the performance of their allotted toil. This he may do by way of punishment. But supposing he gives the slaves the required amount of food at proper times during the day, it is clear that the quantity allowed by law is inadequate to sustain them in health and strength. And could they not find, by the cultivation of patches of land, on some portion of the sabbath, additional means of subsistence, their physical condition would be more wretched than it is, and the mortality among them greater than it is now known to be.

As to the supply of coarse clothing, it is wholly insufficient, and with the greatest care on the part of the slaves, cannot last them more than six months. The field labourers generally must, therefore, be in a state approaching to nudity, during the rest of the year. A single blanket of the flimsiest fabric, is all that is allowed them for covering, during the nights, for a period of two years. But should the supplies of food or clothing be given in less quantities than prescribed in the articles, or should they even be withheld from time to time, as may suit the caprice or convenience of the master, the slaves have no available means of re-

dressing the wrongs done them; inasmuch, as practically they cannot bring their complaints before the constituted authorities.

ARTICLE VIII.

New-born or infant negroes, whose mothers are employed in the labours of the field, shall be nourished with easily digestible things, as soups, *atoles* (a liquor made of Indian corn in its milky state), milk, &c., until they have passed the time of weaning and dentition.

ARTICLE IX.

Whilst the mothers are at work, all the children shall remain in a house or apartment, which should be provided for the purpose on every sugar and coffee estate, and which shall be under the care of one or more negresses, as the master or manager may deem requisite, according to their number.

ARTICLE X.

If the infants should be sick during their lactation, they shall then be nourished at the breasts of their own mothers; the latter being, for that purpose, separated from the ordinary labours of the field, and employed in domestic occupations.

By these articles, the practice of employing nursing mothers in field labour, and often, therefore, far apart from their infants, is legally recognised. It is to be borne in mind, that the time of labour during crop is fixed at sixteen hours, and at other times at nine or ten per diem, at the very least. Apart from the consideration of the injurious effect of this merciless prohibition on the mother, it must prove the cause of a large amount of suffering and death among the children. None but worn-out or superannuated or diseased negresses are appointed to the care of the children, and these are often too much taken up with their own sufferings and wants to be careful of the infants committed to them. The barbarous inhumanity of the arrangements contemplated by these articles, is only equalled by the cold-blooded cruelty which could frame them. Here we have a revelation of one of the atrocious incidents of legalized slavery, for here the slaveholder is permitted by law to stand between the mother and her babe, and to rob the latter of that sustenance which a wise and kind Providence has provided for it.

ARTICLE XI.

Until they arrive at the age of three years, the children shall be provided with short check shirts; from three to six they shall be of duck; to the females, from six to twelve years, shall be given petticoats or large shifts; and the males, from six to fourteen, shall also be provided with trowsers,—after this age they shall have the ordinary clothing.

On this article we have merely to remark that it does not specify how often the clothing for the children shall be provided. It is left, therefore, entirely in the discretion of the master when it shall be given, or, indeed, whether it shall be given at all.

ARTICLE XII.

On ordinary occasions, the slaves shall labour from nine to ten hours daily, the master regulating them in the way which may appear to him best. On sugar estates, during the time of crop, the hours of labour shall be sixteen daily, divided in such manner as to leave two hours rest during the day, and six hours at night for sleep.

This regulation was intended to benefit the slave, but, like every other having the same object in view, will be found totally insufficient for that purpose. In the ordinary labours of the field, the slave is to be worked from nine to ten hours daily, but this does not include the time occupied in going to and returning from the field, nor does it regulate the amount of labour which may be exacted by the master, within the period specified. Neither does it include the time taken up in the cutting of grass for the cattle, and other tasks required of the slaves at the close of every day's work. Besides which, the distribution of the hours of labour is left entirely with the master, so that, in point of fact, the leisure which this regulation would seem to leave to the slave cannot be enjoyed by him. It is absurd to expect that it will have the slightest effect in regulating the practice of the master, inasmuch as Article 3 specially provides that he may employ his slave as many hours in the day, as, according to his view, the exigencies of the estate may require. Practically, therefore, the article will afford no relief to the toiling slaves, and they will be worked to as great an extent under the new as under the old law. During the whole of the crop season, which, as before observed, lasts nearly five months, they may be worked *legally* for sixteen hours daily, allowing them eight hours out of the twenty-four for meals and repose; but to expect that this arrangement will be followed by the masters is out of the question. Eighteen and twenty hours is the usual time required of the slaves during this season, nor can we suppose that they will alter their practice in deference to a law which, from its contradictory character, admits of evasion, and possesses no adequate executive principle for enforcing its requirements. Stimulated by the whip, the slaves, both male and female, will still be compelled to perform the usual allotted task, and after a life, brief indeed, but deplorably wretched and debased, will sink into a premature grave, to be replaced by new victims of the Slave-trade. As it has always been, so will it continue to be with the master, a mere matter of calculation, whether the value of sugar or of his human cattle is to preponderate.

ARTICLE XIII.

On Sundays and festivals, and during the hours appropriated to rest on working days, the slaves shall be permitted to employ themselves, within the estate, in manufactures or occupations, which shall result in their personal benefit, in order that they may acquire *peculium* with a view of redeeming themselves.

The difficulties attending self-redemption are of the most formidable kind, and are very rarely overcome by a field slave. Worn out by the toil exacted from him, and dispirited by the punishments inflicted on him, he has but little heart or energy to enter upon the mighty task. His helplessness begets hopelessness, and though never reconciled to his condition, he submits to it because it is inevitable. In case, however,

of his being induced, under the influence of any strong motive, to undertake it, he is limited to the estate of his master, and to the time he may find during the week, or on the sabbath, to devote to that purpose. The heartlessness of this regulation is apparent.

ARTICLE XIV.

No male slaves above seventy years of age or under seventeen, nor any female, shall be forced to perform task-work; and neither of these classes shall be employed in labours which are unsuitable to their sex, age, health, and strength.

This article is much too indefinite to be of any practical value, as the provisions of several of the preceding articles abundantly show.

ARTICLE XV.

The slaves who through advanced age or infirmity are no longer fit for labour, should be supported by the owners; and they shall not grant them their liberty, in order to get rid of them, unless they are provided with a sufficient *peculium*, to the satisfaction of the constituted authorities, the Syndic being first heard, in order that they may be maintained without the need of other assistance.

The interests of the superannuated slaves are not so much the object of this article, as the protection of the treasury against the cupidity of the slave owners.

Here, for the present, we must stop, and reserve the consideration of the remaining articles, all of which deserve the most careful attention, for a future occasion. We think it must be manifest to those who have carefully considered the regulations already noticed, that hypocrisy, inhumanity, and injustice, are their chief characteristics. How the Spanish Government could have authorized the promulgation of such a law is to us matter of grief as well as of astonishment. Better things might reasonably have been hoped for from the men who now wield the power of government in Spain, and we venture to tell them that if they would secure the sympathy and respect of the friends of liberty and justice throughout the world, they must instantly disavow this law, and enter on the great work of slave emancipation.

REMARKS ON A LETTER RECEIVED FROM A JAMAICA PLANTER.

BY THOMAS CLARKSON.

To the Editor of the Anti-Slavery Reporter.

In consequence of a pamphlet of mine recently published, entitled, "Not another Labourer wanted for Jamaica," falling into the hands of a Jamaica planter, now resident in England, in both which countries he was a magistrate, I received a communication from him a few days ago; and from which I now send you a few extracts, interspersed with remarks of my own, thinking they ought to be made known to the public. This communication informs me of the persecution of the emancipated peasantry in Jamaica, and of the tricks resorted to by the West India interest, both in this country and in Jamaica, to impose upon our Government, with a view of influencing them to institute a Parliamentary inquiry into the state of our West India colonies, as it relates to the want of labourers there; the exorbitant price demanded for their labour; with other particulars; hoping thereby to make out a case which will entitle them to fresh claims.

To show the competency of my communicant to give evidence on this subject, I may state that he resided on his property in Jamaica above eight years, which he visited to look into the abuses which from time to time had crept into it through the mismanagement of his various representatives, denominated planting attorneys; and which, he states, from such abuses, was dwindling down to almost nothing, and fast becoming a valueless possession. He arrived in Jamaica six years before emancipation, and continued there until two years after it; "during which time," he states, "I watched the practice of slavery, the apprenticeship, and entire freedom."

After apologizing for writing to me, as a stranger, he proceeds thus: "I am no friend to the course pursued by the Jamaica planters, from the first date of freedom in August, 1838, to this hour. Indeed, every day more and more assures me that every evil of which the planters now complain is to be attributed to their own mistaken policy at the outset of freedom, and to their obstinacy and perseverance in following up such unremitting persecution of the emancipated classes."

When the slaves were emancipated, the planters thought it necessary to fix what should be their wages before they went to work as free men; to which end they associated themselves. This was an easy task, "had they felt disposed," says my communicant, "to deal honestly and fairly with the labourers. But they made attempts, both before and after the first week of freedom, to begin by offering their most able people only 10d. currency, or 6d. sterling a day, with some of their old slave time allowance as part payment for their labour: but the negroes respectfully refused it. The consequence was, that many thousands of them were left without employment; but all those planters who offered any thing like fair wages obtained as many labourers as they wanted." My communicant was one of the first who came forward with a suitable offer, and he obtained the services of all his late slaves immediately. "I employed," says he, "all my own people within the first week after freedom, and I gave employment to many hundred others for months, from almost every estate in the parish, within fifteen miles around; and had I required it, I could have had ten thousand, to whom their late masters refused to give employment for near six months after they became free, because they respectfully declined taking a mere mockery of wages." Now I ask those persons who have seen my little pamphlet, entitled, "Not a Labourer wanted for Jamaica," whether my communicant does not confirm in substance what I have stated there; namely, that every emancipated slave would work for fair wages, and that as many labourers could be had as were wanted; and that if the planters suffered in consequence of a want of labourers, (as many have done severely,) it was their own fault—they could have had as many of them as they pleased.

"From this time," says my communicant, "the planters generally

commenced hostilities against the labouring classes, by serving them with both written and printed notices to give up their houses and grounds." This fact also I stated in the same pamphlet, to which I added the exorbitant demands of the planters for rent, so that the labourers could not maintain themselves and pay it; and the sufferings they underwent, in consequence of having many of their houses pulled down,—purposely unroofed over their heads. Now what effect had this pulling down of their cottages, (for example, on the Hog-hole estate,) as mentioned in the same pamphlet, but to drive the labourers from their seat of work to other places for shelter and employment? And yet the planters complain of the want of stationary labour.

Such, then, of the planters who had indulged in this persecuting spirit failed to obtain their end; while, during all this time, the more humane and wise of them, who paid their labourers properly, made no such complaints. Having been thus foiled, in the use of such cruel means during nearly the whole of the first six months of freedom, they became at length outrageous; some other means, they said among themselves, must now be tried, (not the obvious one of doing as the more humane and wise planters had done, but of coercing labour.) They determined, therefore, to apply to Her Majesty's ministers to grant them a Parliamentary Committee, to inquire into their alleged grievances, as stated before; not doubting that, as they had an unlimited power of picking their evidence, of taking such only as would suit their purpose, and of rejecting such as would make against it, they would obtain all they wished for. The object they sought by this resolution was to prevail upon the Government to send to Africa to get recruits there, who, by competing with the present labourers, would bring down the price of labour to their own standard. But how were they to get Her Majesty's ministers to assent to this proposal? The way they proposed was to call public meetings in Jamaica, which meetings should come to certain resolutions; and these resolutions, being supposed to come from the whole body of proprietors in the island, could not, when handed to Government, but procure support.

Such was the plan laid down. Now it must be obvious, that if the planters could obtain such a Parliamentary Committee, they must be prepared with evidence to be examined before it. Letters accordingly were despatched from London and elsewhere to different persons in Jamaica, who were thought to be the most proper persons to forward the plan in question. "These," says my communicant, "were accordingly apprised that an inquiry would soon be instituted on the state of Jamaica; and that, on receiving proper notice, they should associate themselves together in the island, in order to agree in their respective testimony before the Parliamentary Committee, in which they would also doubtless be instructed by Mr. Burge." In consequence of these letters, witnesses were sought for, and found readily enough, and sent to London. "Here," my communicant observes, "we may readily guess of what sort the witnesses were. The evidence," says he, "would be principally given either by absentee proprietors, who had never seen their property, or perhaps their representative in Jamaica; their managing attorneys; or that of other attorneys there; or that of recent proprietors, who had previously first been attorneys, and had purchased estates on their foreclosed mortgages." This plan my communicant denominates an attempt to deceive the people of England on the result of emancipation.

I come now to the public meetings which were to be called in Jamaica, in the early stage of freedom, to make its impression on the Government at home, in order to influence them, finally, to grant the inquiry before-named. One of these meetings, the principal and most conspicuous, took place in the parish of St. Thomas the East, about the middle of January, 1839; the Hon. Thomas Mac Cornock, Custos and Chief Magistrate, in the chair. Now what was the effect of this meeting? My communicant speaks thus: "At the expiration of above six months after slavery, the planters called public meetings to declare the results of emancipation in Jamacia a complete failure; and that nothing but ruin stared them in the face. The chairman openly and publicly stating at the time, it was on the recommendation of Mr. William Burge, the Island Agent, that the meeting had been called.

But here I must make a digression for a moment only, to observe, that perhaps there never was a more barefaced, impudent, and I may say, ungrateful attempt to impose upon Her Majesty's Government, by a downright falsehood than this, to declare that *emancipation was a complete failure*; and particularly when Ministers were so well disposed to the planters. The chairman stating, again and again, at the meeting, that it was such. When after more than a six months' trial after freedom had been given, the planters had every reason to be satisfied with the measure; and to be thankful that it had turned out so well; and to ground this assertion upon the plea, that there was a want of labourers, and that the little labour they could procure for their estates was at so dear a price, that to comply with it would be ruin, when at the very moment every planter could have secured as many labourers as he wanted; and when eighteen-pence a day for a working man, (out of which he paid two shillings sterling for rent of house and ground, per week) was all that able-bodied persons demanded; and when it was the fault of the planters themselves that they wanted labourers, first, by refusing to pay them as others did; and, secondly, by pulling down the houses of a great many of them, or ejecting them, by which cruel means they were forced to leave their masters, and fly to other estates for shelter and employment.

But to return. The meeting, as I said before, was according to my communicant, said to be called by the Custos, at the recommendation of Mr. William Burge; but my communicant informs me, on good authority, that Mr. Burge has since denied that he ever had made any such recommendation, or given any such authority to the Custos of St. Thomas the East, or other Custodes; but certain it is, the Custos gave Mr. Burge the credit of having done it; for my communicant, who was present at the meeting himself, had heard the words which the Custos spoke on the occasion, and so did the Stipendiary Justices, the Messrs. Ewart and Chamberlaine, also present, and every body who had ears to hear heard the same words, and every body there went away with the impression that it had been called at that gentleman's recommendation or request. But my communicant goes on to say, knowing as he did, that there was no ground for such a meeting, nor any ground for complaint, or petition, the "Custos was reproved openly to his face, for having

called it; and was told he had called the meeting for no other purpose than that he publicly, with his associates, might repudiate and malign the labouring population, and this at a time, when no one of them was present to gainsay their unjust assertions." The resolutions to which the meeting came were immediately afterwards published in all the island newspapers. Now what must we think of this, my communicant's statement, relative to Mr. Burge's denial? The question is, did Mr. Burge authorize the Custos to say that the meeting was called at the recommendation of Mr. Burge? if he did not, he makes his Honour the Custos a liar; for it is clear that he, the Custos, did positively utter the words in question; if, on the other hand, he did authorise him, then it was only the second part of the plot concocted in London, hereafter to impose upon her Majesty's ministers, to make them believe the Jamaica planters, with one voice, complained of the distress under which they laboured; and to persuade them to grant the inquiry before-mentioned. Now we have seen Mr. Burge, with his associates, perform the first part of the plot, by writing to certain persons in Jamaica (as I have before said, there are good grounds to believe that this was done) that they "might look out for evidence," to associate themselves together in order to agree in their respective testimony before a Parliamentary Committee, in which they would be previously instructed by Mr. Burge. Well, then, if Mr. Burge recommended the Custos to call a public meeting, what did he do, but perform the second part of the plot? well-knowing that he, of all persons, was the most likely to succeed in calling the said meeting, he being the *paid* island agent, and therefore looked up to as the person who would and could give the best advice for the prosperity of the colony. I cannot, therefore, help thinking, that notwithstanding Mr. Burge's denial, (but I may be wrong) that he made application to the Custos, or others, in such words, as he, the Custos, or others construed into instructions for calling a public meeting; besides, will not the public think that the Custos would not have dared to use Mr. Burge's name on this occasion, before a great concourse of people, who, on returning home, would have conveyed what was said at this meeting to various parts of the island, unless Mr. Burge had authorised him to do so?

Such, then, appears to be the plot hatched in London to impose upon the ministers of the Crown, and to deceive the people of England as to the results of emancipation; a plot to which no man of an ingenuous mind or of strictly moral principles could have assented. It was an act of decided immorality to allow a deputation of planters to wait upon the Government, to ground their request upon a falsehood, by stating there was a want of labourers; when any man could, at that very time, have commanded a supply of labour adequate to his wants, if he would have paid for it at only a reasonable rate. It was an act of decided immorality, because it was calculated to keep back the truth in a case of justice, to write to persons in Jamaica to look out for picked evidence to substantiate a case which Mr. Burge, as has been since shown, was to make out for the planters. I say picked, because the witnesses were to be associated together in order to agree in their respective testimony, having been previously instructed by Mr. Burge; from which it is evident, that if they did not agree in Mr. Burge's case, they would not do for witnesses in London. And was it not an act of decided immorality again to call a meeting to pronounce emancipation to have been a complete failure, when that great measure had succeeded beyond the expectation of the most sanguine of its advocates? Such, then, appears to have been the plot, according to my communicant; and I hope the discovery of it may not be without its use; for it may be a lesson to Her Majesty's ministers that whenever a West India deputation comes before them again with complaints against the labouring classes, they must receive what this deputation has to say with caution. And here I may be allowed to add, that as labourers were not wanted in Jamaica at the time when the uproar was raised against them, so there is no want of them at the present day. The Jamaica *Morning Journal* (the planters' paper), by the last mail, has the following words:—"The complaints which poured in upon us at one time, respecting the want of labourers, have gradually subsided, and are now scarcely heard."

I cannot conclude without returning my warmest thanks to my communicant for his most valuable and important communication, and without passing the highest encomium upon the lively and deep feeling displayed in it towards the poor and oppressed, and for his courage also (considering him to be a planter) in allowing me to make use of his authority in any way I may think fit. The interest which he takes in the fate of the labouring peasantry of Jamaica, and in the welfare of that island, and in the prosperity of his own country, cannot be better expressed than in his own words, at the conclusion of his communication to me. "Is it nothing," he says, "to the people of this country to know that in return for their twenty millions the negroes are now contented and happy; that instead of their depopulation from night work, in many instances exceeding ten per cent., they are now increasing in an almost equal ratio; is it nothing, that under freedom they are becoming a moral and religious people; is it nothing that if fairly and honestly paid they would annually take off four or five millions of our manufactures?"

I have only one remark to make upon some of the concluding words of my communicant. "The population of the labouring peasantry," says he, "is said to be increasing in nearly the same ratio as it had decreased before; I believe this assertion to be true; I believe that the whole island of Jamaica may be put into cultivation at no distant period; the children of the present peasantry, and the children of their children, being brought up to agriculture."

But if this be so, I think that the planters there are not wise in their generation, if they persist in desiring to go to Africa for recruits. Consider the cost of their purchase, or bonus, if they are free men; the cost of their passage, when landed in the colonies, and the cost of the passage, and the loss of those who die on the voyage; and when you have got them safe over the water on our island, the loss of those who die in the seasoning; and this may not prove a very profitable speculation. But you must not imagine that your difficulties are even then at an end. In the first place, they will be raw, awkward, and unmanageable, on account of their difference of language. You will have them also to instruct in the use of all their implements of labour, which will occasion a pecuniary loss for a time; nor will they, until they come to a skilful use of them, do one quarter of the work of the present peasantry? You will also have a

people among you unaccustomed to habits of industry, order, and decorum, but filled with endless superstitions, Myalism, Obeahism, Fetishism, &c., which may breed frequent disturbances on your estates, as they are reported to have done in some late instances of the newly imported Africans into Jamaica.

Now please to contrast these with your present labourers. You have the latter at home—not a shilling to be expended in importations. You have the most healthy and robust peasantry in the world, inured to hard work, skilled in all the departments of labour; and, above all, you have an honest, moral, and religious people, instructed in the duties of Christianity, and practising them in an exemplary manner, particularly the great duties of charity and forgiveness of past injuries; so that you will never have the alarms and fears which you had in the days of slavery.

I hope after this that Mr. Burge will no longer have a hand in such shabby plots as these which have been disclosed. If he is the agent of Jamaica, and bound to consult its interests, (as he certainly is,) he would do much more good to the planters, if he would use his known genius and talents to put them in the way of getting rid of their vile and unprofitable husbandry, and to substitute a better; if he would exert himself to put the absentees into the way of managing their estates by a less plundering and more remunerating method than that of attorney management; and if he would exert himself to introduce into the colony of Jamaica a new plan of labour, which should be more satisfactory to all concerned.

NOTICES.

THE ANTI-SLAVERY REPORTER is an Evening Paper, published on alternate Wednesdays, and may be had of all News-venders throughout the country. Price 4d., or 8s. 8d. per annum.

TO CORRESPONDENTS.

The Committee of the British and Foreign Anti-Slavery Society beg to acknowledge the receipt of several valuable communications from correspondents at Bangalore, Coimbatore, and Calcutta, (British India,) and Colombo and Ceylon, in answer to queries on slavery forwarded to them.

Subscriptions and Donations to the British and Foreign Anti-Slavery Society should be forwarded to the Treasurer (G. W. Alexander, Esq.) at the Society's Office, 27, New Broad-street, London.

All Communication for the Editor of the *Anti-Slavery Reporter* must be sent to the Office of the Society, as above.

The Anti-Slavery Reporter.

LONDON, FEBRUARY 22, 1843.

WE are glad to perceive that the honourable Member for Lambeth, Mr. Hawes, has moved for certain returns on the subject of immigration into the British West India colonies, with a view, we hope, of calling the attention of the House of Commons to this important subject. We regret, however, to find that the terms of his motion are limited to the number of immigrants imported, and to the sums of money annually expended for that purpose by the colonies. However desirable this information may be, it forms but a very small part of what is actually required, in order to a just decision of the question. We could have wished that the honourable Member had required a specification of the various countries whence the immigrants had been brought into the colonies,—the proportion of the sexes,—and the mortality which had occurred; these details would have showed how entirely reckless the colonists have been in carrying their schemes of immigration into effect, how little they have regarded the welfare of the emancipated classes, and how dreadful has been the misery, demoralization, and mortality occasioned by their criminal acts. Jamaica, Guiana, and Trinidad, have each become the graves of large numbers of unhappy beings, who, under various pretences, had been drawn to these colonies. But it was not only desirable to have had these details, but necessary that the laws regulating immigration into the colonies, now in force, should have been laid on the table of the House; these would have shown that the object of the colonists was not so much to obtain a permanent body of settlers, for extending the cultivation of the soil, as a large amount of adult male labour, which could be replaced from time to time by fresh importations, as the wastes of mortality might require. In no colony is it provided that more than one-third of the immigrants shall be females; nor, judging from what has taken place in British Guiana, are we sure that even that number will be insisted upon. Now it must be clear to the dullest apprehension, that without an equality of the sexes the object aimed at by a wholesome system of immigration cannot be secured, and that immense expenses will be incurred, attended with no proportionate advantage to the colonies.

Another class of laws—those relating to contracts—should also be laid on the table of the House. If we mistake not, the Order in Council of October, 1838, regulating contracts in the Crown colonies,—one of the wisest and best measures which ever emanated from the Colonial-office,—has undergone several important modifications, which, in reference to certain classes of immigrants, destroy its protective character. But the greatest violation of this Order in Council is the “Bondage Ordinance” of Trinidad, by which all African immigrants are placed at the disposal of the Governor for the time being, who can indenture them for a period of twelve months from their arrival in the colony, to whomsoever, and on what terms soever he please. What has been the final decision of the Government on this Ordinance we know not; but it will reflect the greatest disgrace on them, as well as destroy all confidence in their intention to maintain the freedom of the immigrants inviolate, if they allow it to remain in force.

It is also desirable that the existing law in reference to the sale and occupation of Crown lands in the British colonies should be laid before the House, in order that it may be seen that there is no foundation whatever for the outcry on the subject of squatting in Trinidad. The Order in Council of 1838 provides, that all persons who had not been in possession of Crown lands for twelve months preceding its promulgation might be summarily ejected, and that it should not be sold in lots of less than 100 acres each, at an upset price of 1*l.* per acre. The object of this law was evidently to prevent the negroes generally from becoming purchasers, and, so far as it was possible, to confine them as labourers to the estates. It is now sought to make this law more stringent, for the purpose of bringing the whole labouring population of the colony within a ring-fence, to be dealt with according to the will of the planters. We have glanced at the foregoing points, in the hope that they may attract the attention of the hon. Member for Lambeth, and lead him to move for papers and documents necessary to a full view of the position of immigrant labourers in the British colonies. Of course the noble Lord the Secretary for the Colonies will furnish the House with the papers necessary to understand the scheme of emigration from Africa to the West Indies, to which he has recently given his sanction.

WE beg to call the attention of our readers to the correspondence which has taken place between the Committee of the British and Foreign Anti-Slavery Society and the noble Lord, the Secretary of the Colonies, relative to slavery in Ceylon, and deeply regret that we are unable as yet to report its abolition by the Government. What measures the noble Lord may have taken to promote this object, we are not informed, but it is quite impossible that the subject can be permitted to remain any longer unsettled.

In looking over the history of our conquest of Ceylon, we are struck with certain facts, having reference to the slave population of the island, of considerable interest and importance. It appears from an official document now before us, that when Trincomalee capitulated to General Stuart, he would not allow the slaves to be regarded as property, and they in consequence became free. The Government of India, however, thought otherwise, and such of the slaves as could be found were restored to their proprietors. In commenting on this act, the then governor of the colony (North) observed: “It is far from my wish to fix bounds to the authority of a full and independent government, but perhaps a decision so directly repugnant to that system of jurisprudence (the Roman law), on which the public law of Europe is founded, may be considered as an extraordinary act of power; for by that law it is expressly provided that persons once declared free by competent authority, even on false pretences, cannot afterwards be returned to slavery by any authority whatever.” In the capitulation of Jaffnapatam, after the decision referred to, as well as in that of Colombo, the word “property” was made by verbal agreement, to include slaves, though the term “slaves” was not allowed to be inserted in that instrument; General Stuart being of opinion that it could not be done consistently with law.

This took place in the year 1796. About three years after it was discovered that not a few of the persons, claimed and held as slaves, were entitled to freedom, and a proclamation was issued for the express purpose of ascertaining this point, and various regulations were framed with a view of preventing the extension of slavery by the importation of slaves, and of terminating the existence of slavery at an early period. Above forty years have passed away since this proclamation was issued, and yet, notwithstanding all the measures which have been enacted, and all the promises that have been made, it appears we must still wait for the consummation of this just and necessary act.

To the Right Hon. Lord Stanley, Her Majesty's Secretary of State for the Colonies, &c. &c.

MY LORD,—The question of slavery in Ceylon having long and painfully engaged the attention of the friends of humanity in this country; they had hoped that before this time, that system of guilt, degradation, and cruelty, would have been abolished, and the liberty of the whole population placed on a secure and permanent basis. In this, however, they have been doomed to severe disappointment, year after year having been suffered to pass away without any effectual step being taken to accomplish that great and necessary object.

Feeling the growing importance of the subject, both in its relation to the unhappy slave and the honour of the country, the Committee of the British and Foreign Anti-Slavery Society once more venture to call your Lordship's serious attention to it, and respectfully to urge upon your Lordship the duty of its immediate and entire abolition.

As far back as the year 1806, measures were enacted for securing a true registry of the slave population in Ceylon, and providing for the complete emancipation of all who were not registered within a limited time. The object of this act was, no doubt, to ascertain who were *bond fide* slaves, and to prevent the increase of their number by foreign importations. No registry was made, and by the terms of the law, therefore, all were entitled to freedom; but none were emancipated. In 1808, another measure, having the same object in view, and denouncing the same penalty for neglect of registration, was enacted, but the penalty was never enforced. The privileges conferred on the colony by the British Government, in 1816, were urged by Sir Alexander Johnstone, then Chief Justice of the island, as a reason for the abo-

lition of slavery, and an engagement was entered into by the Dutch inhabitants, the Cingalese, Malabars, and Moors, that all children born of slave parents from and after the 12th of August of that year should be free. Had this engagement, which met the entire approbation of the Home Government, been carried into effect, it is probable that few, if any slaves, would now be found in Ceylon. The Home Government, intending to give effect to this decision of the inhabitants, required, in the year 1818, that an efficient registry should be established; the penalty for non-registration to be the forfeiture of slave or slaves, and their children, who were declared by the law absolutely free. Lord Bathurst, in transmitting the orders of Government to the authorities in Ceylon, stated that the more rigidly its provisions were enforced, the more it would meet his cordial concurrence. The law was passed, but, as before, totally disregarded, and the penalty was not inflicted. Thus, my Lord, thrice have the slave population become free through the operation of the laws which have been enacted, and thrice have they been left by the authorities to continue in their hopeless and miserable bondage.

In 1821, a regulation was passed for the gradual emancipation of all female children, by the purchase of the masters' interest in them at the period of their birth, by the payment of a stipulated sum, varying from two to three rix-dollars each, to take effect from the 24th of April, of the same year. The number of female children annually born of slaves, was estimated at 2,500; but from 1821 to 1829 inclusive, the total number purchased by the Government under the regulation was 2,211, whilst the number registered as free by the inhabitants, under their engagement in 1816, amounted only to 96. The number of slaves who redeemed themselves under the regulation of 1818, was 504. In 1837, the census of the slave population in the various districts states their number to be 27,397. It is probable, however, that if a true return had been made, it would have amounted to about 37,000.

The facts thus briefly stated will be sufficient to convince your Lordship that, had but common attention been paid to the subject by the authorities in Ceylon, not a slave would now be found in that island.

The Committee beg to call your Lordship's attention to a short extract from a despatch of Lord Glenelg's, dated the 24th Nov., 1838, addressed to the then Governor of the island. His Lordship says, "I am induced to believe that slavery might speedily be extinguished in Ceylon, with little risk or difficulty. It is indeed alleged to be nearly nominal, a circumstance which must greatly facilitate its extinction. I am therefore anxious," adds his Lordship, "that measures should be immediately taken for the entire abolition, at the earliest practicable period." And to add thereto an extract from a communication addressed to the Secretary of this Society, by order of your Lordship's predecessor in office, Lord John Russell, dated August 9, 1841, viz.—"I am to acquaint you, for the information of the Committee, that his Lordship had called upon the Governor of Ceylon to furnish a report on the actual state of slavery in that Colony, before the receipt of your letter, and expressed his anxiety to abolish every vestige of slavery therein." These declarations led to the expectation that the question to which they refer, was ripe for settlement.

In conclusion, the Committee would cherish the hope that your Lordship will no longer allow this subject to remain in abeyance, but forthwith recommend Her Majesty in Council to issue an order for the complete extinction of slavery in Ceylon. Such a measure will give the greatest satisfaction to the friends of abolition both at home and abroad, will remove a cause of just reproach, and entitle your Lordship to the grateful acknowledgments of this Committee, and the great body of the philanthropists they represent.

I have, &c.,
(Signed) JOHN SCOBLE, Sec.

Downing Street, Feb. 20, 1843.

SIR,—I am directed by Lord Stanley to acknowledge the receipt of your letter, of the 10th inst., enclosing a representation from the Society for the Abolition of Slavery, on the subject of slavery in Ceylon. In reply I am to inform you, that Her Majesty's Government are fully alive to the importance of this subject, and will not fail to keep it steadily in view.

I am, &c.,
(Signed) GEORGE HOPE, Sec.

27, New Broad Street, Feb. 10, 1843.

To the Right Hon. Lord Stanley, Her Majesty's Principal Secretary of State for the Colonies.

MY LORD,—In transmitting to your Lordship the memorial of the Committee of the British and Foreign Anti-Slavery Society on the abolition of slavery in Ceylon, permit me to direct your attention to an important document inserted in Parliamentary Papers, No. 125, 1828, pp. 84 to 92 inclusive, on slavery in India, which clearly indicates the cause of the non-registration of the slaves, agreeably to the regulations passed in the years 1806, 1808, and 1818.

In that document your Lordship will find, that out of one hundred slave cases, involving the alleged legal right of masters, it was discovered that not more than six or seven of them produced slave bonds properly authenticated. To put an end to a state of things so disgraceful, and to secure freedom to such as were unlawfully held in bondage, a proclamation was issued which required that all persons holding slaves within the settlements should produce their slaves together with their slave-bonds and papers, in order to their being registered on or before the 1st day of May, 1802,

failing which, the slaves were declared free, and all persons holding or treating them as such after that day, were subject to certain penalties.

It does not appear from official records that any advantage accrued to the slave population from this proclamation, excellent as was its design, and, as your Lordship knows, all the subsequent attempts to obtain a registry of slaves failed, no doubt on the ground that few, if any, masters could establish a legal right to them.

I have, &c.,
(Signed) J. SCOBLE, Sec.

WE much regret that in the present number of the *Reporter*, we are unable to give even a brief outline of the discussions which have arisen in this country, in the United States, and in France, on the exciting subject of the Right of Search. Lord Brougham, at the opening of the present Session of Parliament, made an elaborate statement on the question, as between Great Britain and the United States, in which he showed that the great sensitiveness which now manifests itself on the subject in that country, did not always exist, its Government having actually, in the year 1823, proposed a treaty, in which the right of search was conceded. We intend shortly to devote a paper to the question, in which we shall attempt to show its true bearing on the suppression of the slave-trade. In the mean time we call the attention of our readers to the statement of Captain Hall, relative to the Slave-trade, which appears in another part of this paper.

THE case of Nelson Hacket, the fugitive slave surrendered by Sir Charles Bagot to Governor Yell, of Arkansas, has, we perceive, engaged the attention of the Canadian Legislature, and given rise to a warm discussion in that body, the particulars of which will be found in another part of our columns. To this discussion we call particular attention, as well as to a letter from an esteemed American correspondent, giving some authentic particulars of Hacket's history subsequently to his surrender. We had intended to have given a statement of the case of this individual, drawn from official papers in our own possession, but are compelled to delay its insertion until our next number, when we propose giving the result of the interview of a deputation of the Committee with Lord Aberdeen, which will take place to-day, on the 10th Clause of the Treaty of Washington, with which it will be found to have an intimate connexion.

ON the 7th of September last, we extracted from the *Times* newspaper a paragraph reflecting on Captain Henry Serjeant, of the bark *Kingston*, for alleged cruelty towards some African emigrants, which he conveyed from St. Helena to Jamaica. We have great pleasure in stating, that, having been favoured with an interview by Captain S., and having examined the exculpatory documents he brought with him, consisting in part of affidavits, we are fully convinced that the charge against him was entirely groundless, and that it originated in a malicious intention to injure his reputation.

PROCEEDINGS OF THE ANGLO-MALTESE ANTI-SLAVERY SOCIETY.

THE members of this excellent institution, with a promptitude which characterises all their motions, have addressed His Highness the Muchir Bashan Bey of Tunis, on the recent measures he has adopted, with a view to the final termination of slavery, as well as the slave-trade, within his territories. We hope the noble example set by His Highness, in the emancipation of his own slaves, will be followed by all his subjects, and the whole of his dominions thus become free from the taint of slavery. Whilst this Mohamedan Prince will be honoured by the present generation of men for his noble efforts and generous sacrifices in behalf of oppressed humanity and the eternal principles of justice, which are always and every where the same, millions in future ages will bless his memory as one of the greatest benefactors of the human race. The following is a copy of the address forwarded to the Bey by our Maltese friends:—

"The Anglo-Maltese Anti-Slavery Association, always most cordially approving the progressive anti-slavery measures of your Highness in the regency of Tunis, (a country which has been confided to the able and enlightened administration of your Highness's family now some centuries,) have at length heard with unmixed pleasure, and the highest satisfaction, that your Highness, moved by the dictates of the purest philanthropy, and directed by the light of that noble mind with which God (to whom be all praise!) has so eminently endowed you above all the princes of Tunis, your illustrious predecessors,—has given the last and final stroke to slavery and the slave-trade in the vast and most important regions of Tunis, in Northern Africa, by the issue of a proclamation to the effect, that all children hereafter born shall be free; over whom no one shall have control, and in whom no one shall have property as owner or slave-master, forasmuch as God (the most merciful) alone has right and property in human beings, whilst it is a great crime before God to make a man a slave against his will. And, moreover, the Anglo-Maltese Anti-Slavery Association heartily join with the philanthropists of every Christian or Mussulman people in celebrating this great act, equally of wisdom and mercy, of your Highness's auspicious reign over the destinies of Tunis, and hail it as a new epoch in the emancipation and regeneration of the negroes of Northern and Central Africa, being fully persuaded that this most manifest example of good will and affection towards this oppressed and unhappy race will be felt, in humanizing and civilizing consequences, to the remotest countries of that immense continent.

"May God Almighty, who is all merciful, have your Highness in his safe keeping, and may your Highness's reign be long, happy, and glorious. Amen."

THE CASE OF NELSON HACKET.

TO JOHN SCOBLE, ESQ., SECRETARY OF THE BRITISH AND FOREIGN ANTI-SLAVERY SOCIETY.

Washington City, Dec. 27, 1842.

DEAR SIR.—I hasten to communicate to you an interesting piece of information I have just obtained from the Hon. Mr. Cross, Representative in Congress from Arkansas. It is, that Nelson Hacket, the coloured man who was surrendered by the Governor of Canada on a requisition from the Governor of Arkansas, to answer to a charge of stealing, was taken to Arkansas, and without trial restored to the possession of his former master as a slave; that he escaped again, and was retaken; but finally escaped the third time, and has not been heard of since; and whether he has gone clear, or is destroyed, is not known.

As it is reported that systematic measures have been adopted here for the recovery of the vast number of slaves that are escaping, by claiming them as felons, the exasperation and dismay that exist here are indescribable; and if they should recover even one man, they would hope, by making him an example, to deter those that remain.

The Canadian authorities ought to be expressly instructed to give up no coloured man to the slave states, on any pretext whatever. There is no other security.

From a perusal of Mr. Benton's speech in the Senate, against the ratification of the Ashburton treaty, I have no doubt the idea was seriously entertained that the 10th Article would secure the surrender of slaves from Canada. He exposes its insufficiency for that purpose, and makes it a main ground of objection to the treaty itself, that it abandons the South. He says, "The South, left alone by the separate treaty, now made for the Northern States, and with the sympathies of half the Union and all the rest of the world against her, must now expect greater outrages than ever in all that relates to slave property." None of the slaves that have escaped from this neighbourhood have been recovered. Probably the loss in value is at least a hundred thousand dollars in the last six months.

We are expecting some exciting debates on the subject whenever the treaty shall come before Congress. I have no doubt the London Committee will exercise due vigilance in regard to the legislation of Parliament to carry the treaty into effect. Mr. Benton, in his speech, recites the proviso of Article 10, and proceeds to say—

"This reduces the engagement to the merest hoax. The offence is to be one for which the fugitive could be arrested and tried, if committed at the place of apprehension. And who supposes that in the abolition dominions of Great Britain, the murder or robbery of a master by his slave, will be admitted to be a crime for which the perpetrator should be delivered up to justice? Even admitting that, under the common law of England, there may be a killing of a master by his slave, under circumstances which would amount to murder, yet who would expect, in the present state of British feeling, that the law would be executed by a British Judge? Who would expect even such a murderer to be given up, much less when the killing takes the form of defence against violence, or escape from oppression!" We are beginning to flatter ourselves that the plot for annexing Texas to the United States has been defeated, by exposure, for this year.

(Signed,) JOSHUA LEAVITT.

Parliamentary Intelligence.

As we are anxious to preserve whatever may occur in Parliament bearing on Slavery and the Slave-trade, we have extracted from the speeches of Hon. Members, delivered during the late debate on the distress of the country, such parts of them as indicate their sentiments, and the course they are likely to take when the points to which they refer lead to discussions and divisions in the House.

RESTRICTIONS ON COMMERCE.—SUGAR.

(*Debates 14th to 17th February.*)

Mr. LABOUCHERE observed, that the distress of the country produced an evident effect upon consumption, but on that point he should not say much; still there were some circumstances connected with it which did appear to him not unworthy of attention. He conceived that the sugar duties afforded an excellent test by which to judge of consumption. In the year 1841 the price of sugar was 38s., in 1842 it was 34s., and yet, though sugar was cheaper, the consumption diminished, for the quantity consumed in 1841 was 270,000 hds., and in 1842 only 261,000 hds. The falling off in the consumption was chiefly in the manufacturing districts; in fact, the import of sugar increased in London and in several other ports of the kingdom, while it decreased in Glasgow and Liverpool, the ports which supplied the manufacturing districts. The falling off in Glasgow alone during the last year was 3,500 casks. That was a strong proof of how the consuming powers of the country were diminishing.

Mr. EWART called the attention of the house to a comparative statement of the quantity of Brazil coffee taken by England and the United States in 1841. The crop in that year was 1,130,915 bags; of this the United States took 431,000 bags, being an increase of 125,000 bags on the quantity taken by that country in 1840, while England took nearly 70,000 bags, being a decrease on the quantity taken in the previous year of 88,303 bags. If trade was established on sound principles between this country and Brazil, British ships would come direct to England as a market, with cargoes of coffee, without touching at any continental ports, and this country would consequently become a kind of *entrepot*. Indeed, he considered that England ought to be the *entrepot* of the world; and he was convinced that if they pursued the course he suggested this result would follow. He had, at the commencement of the session, alluded to the importance of concluding a commercial treaty with Holland, with respect to the produce of Java; and he thought that the report of Mr. Macgregor, on the state and trade of Holland, which had since been laid upon the table of the house, confirmed the view he had then taken. He hoped that some measures would be adopted for promoting a trade between this country and Java, for Holland was wholly unable to supply the demands of that island. In 1841, Java took 2,200,000L sterling of imports, of which Holland supplied 815,000L.

The exports of Java amounted to 6,000,000L. In 1831, the quantity of sugar produced in that island was 7,000 tons; it was now 65,000 tons. He hoped that a treaty would be concluded with Holland, by which the trade in coffee with Java, hitherto a monopoly, would be thrown open; and such a measure would undoubtedly have the effect of materially reviving our commerce.

Sir C. NAPIER believed, with respect to sugar, that there was a disposition on the part of Government to lower the duties on foreign sugar, and he hoped this impression was correct. He trusted that Government would soon be enabled to effect this important measure, by inducing the Government of the Brazils to make some concessions with respect to the slave trade. Such a measure would, he was aware, be productive of injury to the West India proprietors; but surely, when the people of this country were suffering such extreme distress, the whole community would not be sacrificed to support any interests whatever, whether those of the West India proprietors or of the landed proprietors of this kingdom. He thought that if the West India proprietors who resided in this country went out to the West Indies, and looked after their own estates, such a step would promote their own interests.

The CHANCELLOR OF THE EXCHEQUER said, with respect to sugar, the subject on which the right hon. gentleman had been very energetic, he would reserve his opinions till it came properly before the house; but he could not help congratulating the country on the fact that the price of this necessary article had decreased below that at which even the right hon. gentleman calculated it would now be by his proposed budget. And this had been obtained without the reproach of encouraging the revival of that hateful traffic which it had been for so long the object of the nation, and at such great sacrifices, to suppress. No one could value more than did he (the Chancellor of the Exchequer) the extension of trade; but to that he thought it would be unwise to sacrifice too much; and in our eagerness to promote universal freedom of trade, it would be well to remember financial considerations—so essential to the commerce, because so important to the credit, of all trading communities.

Mr. M. PHILLIPS observed, there was a ready market for sugar, and a greatly increased demand would arise for it, if we were only placed in communication with the countries that produced the article. Those who had the interests of the poor at heart could confer on them no greater boon than to place within their reach this article of daily necessity. Every hour they delayed the settlement of this question by the abolition of differential duties tended seriously to compromise our trade, and prolong that misery now complained of.

Mr. M. GIBSON remarked, that the house was also told that stipulations were to be obtained from the Brazils with respect to the slave trade; and that this was to be the condition on which the duties on foreign sugars were to be reduced. On this subject had not they got all that treaties could give them? Had not the Brazils acknowledged the slave trade to be piracy? Then why not enforce existing treaties, instead of saying that, unless new ones were obtained, the sugar duties should not be reduced? The hon. gent. further stated, that whilst the Brazils put duties, averaging from 20 to 40 per cent., upon British manufactures, Great Britain was levying a not less duty than 400 per cent. upon Brazilian sugars.

Sir ROBERT PEEL observed, we certainly did not apply the new tariff to the article of sugar, and I admit at once there can be no article of greater importance to this country than that—no article with respect to which a reduction of price could be more important than sugar. But this I can with truth affirm, that it was no desire to protect monopoly that induced us to except sugar. Whenever you deal with the article of sugar, I very much doubt whether you will not deal with it in a manner which will be for the advantage of the West Indian colonies as well as the East Indies. But we reserved sugar from the operation of the tariff, partly because we wished to use it as an instrument to obtain a reduction of duty upon our own produce into other countries, but more upon this distinct ground—that we did not think it right to give the free and unlimited admission of sugar, without reference to the consideration of its being the produce of free or slave labour. I maintained that principle in opposition—I maintained it last year in Government—I still adhere to it; that is, I think you ought, if you possibly can, to make some stipulation, not only in favour of the abolition of slavery, the prevention of the slave-trade, but of the mitigation of slavery itself; you ought to try to get some conditions with respect to slavery before you grant an indiscriminate admission of sugar. I retain the opinion upon which I acted in opposition, and which I expressed last year; and I think, considering the discussions in which the country has lately been involved—considering the doctrines it has maintained with regard to the United States, the principles it has avowed with regard to France, never was there a period when it was more important that this country should declare to the world that she did not relax, for any pecuniary advantage, the same principles which she has maintained with respect to slavery. There is a great disposition to charge this country with having been influenced, in the zeal we have shown for the suppression of the slave-trade, by mercantile and pecuniary considerations. I certainly think it would very much abate the moral influence we have attained with regard to that question, if it could be supposed, or if there were any appearances which might fairly lead to the supposition, that for the sake of obtaining free trade in sugar, we did anything that could be instrumental in continuing the slave-trade, or lending it our sanction.

RIGHT OF SEARCH.—Feb. 14.

Mr. HARDY, seeing the noble lord lately the Secretary for Foreign Affairs in his place, felt very desirous to put a question to him. It was in relation to the treaties with France, entered into in 1831 and 1833, relating to the right of search. His question was, Did the proposition for the original treaty and the supplementary one for 1833 originate with the Government of this country or with that of France?

Lord PALMERSTON.—When the new Government acceded to office, in 1830, they proposed to the Government of France a treaty by which the two countries granted reciprocally the right of search within certain latitudes. There were certain details connected with the instructions to be given to the cruisers of the respective nations which did not appear in and were not settled by the treaty of 1831, because the Government were most anxious to record the general principle which had been conceded.

(Hear, hear.) The convention of 1833 was entered into for the purpose of embodying those details; it was therefore necessarily a part and portion of that of 1831, because that convention could not be carried into execution without the other. Therefore, speaking generally, the convention of 1833 arose out of the proposal made by the Government of this country in 1830, and which led to the convention of 1831. In justice to those who were Ministers in France, and to the Ambassador of that country in London at that period, he felt bound to state, that it was impossible for any one, or body of men, to enter more cordially into a proposition to carry out that which was the ardent wish of both Governments, viz., to put an end to so abominable a traffic.

Mr. HARDY.—Would the noble lord be kind enough to state the first time at which any complaint was made by the French Government of anything done under the treaties?

Lord PALMERSTON.—No cause of complaint arose until very shortly before the late Government went out of office. Generally, he might say that no cause of complaint had ever been made for any seizure under the treaties. A complaint was made of the seizure of a vessel in the Gambia, but it was made, not in execution of the treaties, but under the municipal laws of Great Britain, the ship being at the time in the waters of England, at her colony on the Gambia.

(On the 17th February Mr. HARDY brought forward a motion for papers relative to any complaints made by the French Government with respect to the detention or search of French vessels on suspicion of being engaged in the slave-trade. The motion was opposed by Sir Robert Peel, on the ground that negotiations were still pending respecting those cases, but stated them to be few in number. The motion was consequently withdrawn.)

Home Intelligence.

THE SLAVE TRADE.—The following statement of the difficulties to which our cruisers are exposed on the coast of Africa, has been forwarded to us by Captain Hall, who commanded her Majesty's brig *Rolla*, on that station; and confirmed as it has been by the testimony of several other officers, to whom we have shown it, we can have no hesitation in giving it publicity:—

The cruel, unfeeling, and heartless slave traders, or their agents, reside at the most convenient places at or near the slaving towns or villages on the west coast of Africa, and have generally large expensive establishments in the shape of baracoons, for from 500 to 600 men slaves to live in, others for women and boys, with comfortable dwelling houses and every luxury for themselves. They have also factories or storehouses, containing quantities of slave goods, the only inland barter for slaves. A great part of English manufacture, viz., muskets, gunpowder, bar-iron (for forging shackles and chains), cutlery, slave cottons, rum, tobacco, woolen cloths, salt provisions, flour, rice, farina, &c., are carried to the coast and considered as *legal trade* by mercenary merchant ships of all nations, particularly English, French, and Americans. The produce these vessels generally get in return from the coast is nominally nothing—mostly leave in ballast, receiving from the slave-dealers payment in cash or bills on London houses for the goods or freightage out. There is scarcely an English merchant on the slave coast but indirectly carries on, and finds it his interest to keep up, the slave trade, and the slave traders can at all times procure an unlimited supply of slave goods from them. The slaving piratical vessels which run across the Atlantic for cargoes of slaves sail very fast, and are generally well armed with large guns, for the express purpose of killing and wounding the seamen, and sinking the boats belonging to British cruisers, showing at the time no flag of any nation. On their making the slave coast where they are bound to, they immediately, night or day, communicate with the shore by means of light canoes (which in some instances they carry across the Cuba), when they immediately make sail off the land, and at the appointed hour stand in close to the beach, keeping under weigh, often receiving on board from the shore numbers of desperate armed ruffians, to aid and assist the piratical slave vessel's crew to beat off or sink our armed boats belonging to the British cruisers, and most wantonly destroy the seamen.

Every thing being previously arranged and prepared, they ship off from the open beach their slaves, provisions, and water for them, in three or four hours, crowd sail, and escape with impunity, which more than half do in defiance of the vigilant cruisers. The elements seem to befriend the slavers on the coast of Africa, the weather being generally thick and hazy, with light breezes and smooth water, which answer their diabolical purposes. They have certain information where the cruisers are on the coast, and know their sailing qualities to a nicety, having scouts along the coast, and a communication kept up by signals, fires, smokes, and small kroocanoes which pull along shore very fast, giving timely notice of the approach of a man-of-war, or her boats. The inducements to the slave-dealers are very great; indeed, if at all successful, they realize a profit of from 180 to 200 per cent. and upwards. All the chiefs and natives on the slave coast heartily turn their sole attention to the exportation of slaves, and nothing else, which they consider to be their only legitimate revenue; any other trade is lost sight of, and they consider treaties as a mere piece of paper.

A speculating slave-dealer from Cuba or the Brazils, if he cannot readily procure a fast vessel for slaving, or to avoid the outward risk, gets a passage across to the slave coast in an American or a Brazilian merchant vessel, generally laden with articles manufactured mostly at Manchester and Birmingham, expressly for the slave-market; and which is the only barter to purchase slaves with in the interior, money being of no use there for that purpose. The slave-dealer either takes a round sum of money with him, or deposits a sum beforehand in a London banking house, on which he draws his bills to pay for the slave goods, and for the purchase of a fast-sailing vessel, mostly American, built for the express purpose, and brought to the Cape de Verd Islands, and on the coast, for sale.

Any quantity of English manufactured goods, only fit for the slave-trade, can be procured by the slave-traders on credit from English houses on the coast of America, at the risk of twenty-five per cent. on the first cost.

The present system pursued in endeavouring to put down the slave-trade by cruisers, is attended with great risk, anxiety, and loss of life, with

heavy expenses to the country; it is also attended with unspeakable horrors, and unutterable sufferings to the poor unfortunate slaves who are doomed for exportation. They are frequently for months (from a man-of-war blockading the slaving place) kept in state of mere starving existence in the baracoons on shore. From the heavy expense of feeding them, many are starved to death, chained together in gangs (by the neck) from twelve to twenty, or shackled by the legs in pairs. On an opportunity offering, they are shipped off in an exhausted, inanimate state, and packed in a slaver's hold nearly in bulk, when their miseries or sufferings increase, as they are deprived of fresh air, and almost of water, which they did not feel the want of on shore, in the baracoons. Only fancy, if you can, their increased sufferings during the voyage across the Atlantic. Should they be taken by a man-of-war on the eve of landing the cargo of slaves at Cuba, or on the coast of Brazil, they would then, poor wretches, have to proceed on another voyage of extreme misery, until many are happily relieved by death!

The slave traders control and keep the native chiefs in subjection; on the coast they make defences, and mount guns at the slaving establishment on shore; often fire on the cruisers' boats; showing no flag of any description, and generally succeed in cutting off all supplies from ships-of-war.

The articles made expressly for the slave-trade are of the worst possible manufacture; the rum is horrible, and drives the natives mad; the muskets burst to pieces in their hands; and the tobacco is made up of the worst ingredients possible. The most worthless articles are exported, for which the natives are charged exorbitant prices. Every possible imposition is practised on the poor much-benighted African; and debased in intellect to the lowest grade by the white piratical slave-dealers, the scourge and curse of Africa, and to the utter disgrace of anything in the shape of a human being.

CHAS. HALL, Commander,
Late in command of H. M. brig *Rolla*, employed
on the West Coast of Africa.

—*United Service Gazette*, Jan. 18.

MR. TURNBULL.—As will be seen by the following official notification, Mr. Turnbull has been appointed to the office of Commissioner of the Mixed Commission Court, established in Jamaica, for the suppression of the slave-trade. Mr. T. left England last week, bearing with him the best wishes of his friends.

FOREIGN-OFFICE, JAN. 24, 1843.—Her Majesty has been pleased to appoint George Frere, jun., Esq., to be Commissioner, and Frederick Richard Surtees, Esq., to be Arbitrator on the part of Her Majesty, and James Robert M'Leay, Esq., to be Secretary or Registrar to the Mixed British and Portuguese Commission, to be established at the Cape of Good Hope, under the treaty concluded at Lisbon, on the 3rd of July, 1842, between Great Britain and Portugal, for the suppression of the slave-trade.

Her Majesty has also been pleased to appoint David Turnbull, Esq., to be Commissioner, and James Fitzjames, Esq., to be Arbitrator on the part of Her Majesty, and Sydney John James, Esq., to be Secretary or Registrar to the Mixed British and Portuguese Commission, to be established at Jamaica, under the same treaty.

Colonial Intelligence.

CANADA.—NELSON HACKET.—*Proceedings of the Canadian Legislature*, Oct. 8, 1842.—Dr. DUNLAP moved for all the papers relating to the case of Nelson Hacket. He said it was not the case of one man only, but of thousands, and a great principle was involved of international law. Hacket was charged with felony, but nothing was proved against him, and then he was kept in jail eight weeks, until men could be brought from Arkansas who would swear better. He did not say they had sworn falsely, but he had no confidence in their swearing. But whether the charge was true or false was not the question, for, if true, this government had not authority to give him up. How do we know that there is such a person as the Governor of Arkansas? We know no State but the United States, and if any wrong is to be redressed, the legislation is not between the Governor of Canada and the Governor of Arkansas, but between the Federal Government and the British minister. He was jealous of these slave States, for they have passed laws most disgraceful in regard to the blacks. There are a set of men on the other side who make a living by stealing free blacks from our side, and he would give them no encouragement.

MR. D. B. VIGER said it was a case of the greatest importance. The Governor of Canada had no right to surrender any man, be he a subject or a foreigner. The Governor of Canada should not act as sheriff to the Governor of a State. A man should not be surrendered on a mere charge of felony, but only for certain crimes against the law of nations, as piracy. It is said there is a law of Upper Canada which authorised the surrender, but Upper Canada had no right to pass such a law. It is the prerogative of the Imperial Government. This man was a foreigner, but he was under the protection of the British Empire. Had the case happened under a despotic government, as was once customary in France, it could have caused no surprise; but that it occurred under a liberal government like England, is astonishing. The case has been taken up in England, and it was said that all was right; but they could not have had all the papers before them, or they would not have said so.

MR. HARRISON hoped the motion would be withdrawn. He had always doubted that the Upper Canada law on this subject was unconstitutional, but since it was law, it had to be obeyed. The treaty just entered into with the United States will put this question on a proper footing. This case was examined by the law officers of the crown in England, and they had approved of the proceedings. The law of Upper Canada authorised the surrender, and the evidence was clear and decisive. Hacket was guilty of a larceny, and that not to assist his flight, for he had stolen a watch; and as long as the law existed the Executive had no option but to fulfil it, whatever they might think of its unconstitutionality.

Sir A. M'NAS did not think the Government had a right to give up the

man. The case had excited a strong sensation through the western part of the province.

Mr. DRAPER explained the reasons on which the Government had acted; referred to a former case; and said, besides other difficulties, it was a question whether a human being from a country where he is accounted a chattel, could be held capable of committing a crime. (Hear, hear.)

Mr. BOULTON could not think of holding a slave responsible for what he does, where he is by law deprived of all moral instruction and all right of voluntary action. He could not hold such creatures amenable. In the language of one of America's greatest men, John Quincy Adams, can cattle commit crime? Can goods and chattels transgress moral law? In some of the States persons are liable to punishment for teaching the slaves, and we are to hold them accountable for what they are not permitted to know! A strong expression of opinion on the part of this house will render the Government very chary in exercising the power given them by a law of doubtful authority. A very painful case occurred at Niagara, in which a man was killed, and the negro escaped, and he was glad that the man had escaped. Hacket was charged with felony, but he denied that he had committed felony. As was observed on the Creole case, it was strange that cattle should be pirates or robbers. Government should not give up any man who had been a slave, no matter what was charged on him. Are we certain, or can we hope, that he will receive a fair trial, and not be tied to a tree, and burned or flogged to death?—*Toronto (U.C.) Herald, Oct. 17th, 1842.*

JAMAICA.—THE CONSTITUENCY.—To give our readers some idea of the rapid increase which has taken place in the constituency of this island, and which is likely to continue to take place, it is only necessary to remark, that in one parish in Middlesex the tax-payers have increased from 282, in 1830, to 2463, in 1842. This increase is attributable to the purchase of land by the late apprentices, all of whom have become freeholders, and, if duly registered, will be entitled to vote at any elections that may take place. Members of Assembly will have to look out for the next general election. It will be no go to be compelled to canvass 2463 voters to a parish, and that an agricultural one, where the freeholders are scattered about, and at a distance from each other. The Government cannot complain now of the paucity of electors; and there will scarcely be a parish in the island which will not be equal to some of the larger English boroughs in the number of persons entitled to vote at elections. It would be no bad plan for some member to call for a return of the number of persons who have been placed on the tax rolls for the last ten years, distinguishing the number for each year, and of the parties who have put in their claim to vote as freeholders, under the 4th Victoria, chap. 31.—*Morning Journal.*

BRITISH GUIANA.—“The *Guiana Times* says, the current year opened under the most gloomy omens. Up to the present time there has been no improvement in business worth mentioning: on the contrary, the progress of the year has only been marked by increased intensity of distress. Money, even to a small amount, cannot be raised on the most unquestionable security of lands and tenements. The two banks have contracted, or are contracting, their business. Were they to put all their just claims in immediate suit, the consequence must be ruinous. We can hardly find any person capable of liquidating his obligations when called upon. There are many families ruined, and well nigh starving, in consequence of the awful calamity that has overtaken the colony. The misery among those who lately held flourishing establishments and knew no want, it is deplorable to be spectator of.”

The above paragraph is going the round of the papers at home. Some late occurrences at the *Times* office will, no doubt, lead to the concoction of some additional paragraphs of the same sort. We are sorry that the *Times* has had such a bad set of customers; but the *Times* is certainly mistaken in supposing the distress it describes to be so very general. With but two or three exceptions, so far as we know, people are yet able to pay rent and wages; and as to starvation, that certainly must be a mere fancy sketch. To confess the truth, however, we have little doubt that the journeymen printers are the worst used and worst paid people in the colony,—in fact, the very people whom the *Times* must have had in its eye, while drawing the above moving picture.—*Gazette, Dec. 11.*

BERBICE.—RETURN OF COOLIES TO INDIA.—The time is at hand for the departure of the Coolies from this place, to their native country, according to the provisions of the contract by which they were introduced here. Upon a minute and impartial investigation into the causes which induce them to sacrifice the certainty of prosperity in Berbice, to the equally certain indigence in their own country, we are enabled to offer to our readers the following information.

The first reason which they assign is, the all absorbing wish to see their relatives and friends whom they have left behind—a very natural one. Had the parties who sent them hither, taken into consideration the powerful nature of kindred ties, they would have provided against this, by sending them out in families, thereby insuring their continuance in the colony, where their labour is rewarded a thousand fold beyond what it can possibly be in India. We do not give our money-making proprietors much credit for metaphysical knowledge, but a very small portion of it should have taught the force of the poet's axiom,

“Tis home where'er the heart is,
Where'er its loved ones dwell—
In cities or in cottages,
Throng'd haunts, or mossy dell.”

The poor Coolie sorrows after his tawny kindred as much as do such of Europe's sons, whose length of residence here has not taught them to forget their homesteads.

In the second place, on an average, each of them possesses over one hundred dollars, a sum which will afford them the enjoyment of luxuries, for a time, such as has hitherto been beyond their reach, either in India, in consequence of their former poverty, or here, from the high price of articles, or the difference in the living of both countries. The money which they have realized has been principally gained by the cultivation of their grounds and the sale of their produce. Had they been placed on the same footing as the other labourers in this colony, no doubt their

services to the plantations would have been of treble importance, and their earnings in the same ratio. A few have determined on remaining, some of whom have cast aside their national prejudices, and formed alliances among their sable fellow labourers. The bulk, however, are too strongly biased by home sickness to swerve from their purpose of returning to Hindostan, and the colony will thereby lose many effective and valuable labourers.—That Coolie immigration will ultimately be granted to the West Indies, we have no doubt. Years may roll over, thousands upon thousands from Africa may come hither, still, British Guiana can afford a home for the “starving hordes of India,” without any diminution, for at least a century, in the price of labour—or any cessation of competition for it.

Foreign Intelligence.

UNITED STATES.—We copy the following extract of a communication from the Washington correspondent of the *Emancipator and Free American*, dated 19th January, 1843:—

NELSON HACKET.—I have received authentic information, through a friend, from the Hon. Mr. Cross, M. C. of Arkansas, that Nelson Hacket, whose surrender by the Governor of Canada, on a requisition from the Governor of Arkansas, has occasioned so much discussion in Canada and in England, was taken back to Arkansas, and delivered immediately up to his master as a slave; no notice being taken of the legal charge against him, of having stolen his master's horse and watch, at the time he made his escape from slavery. This result shows that the demand made by the Governor of Arkansas was a mere fraud, acting on the principle ascribed to Judge Baldwin,—that deceit is lawful in retaking a slave. It is not probable, that after this information, the Canadian authorities will again suffer themselves to be imposed on. In fact, the occurrence of this case is providentially seasonable, to awaken vigilance in the legislation of the British Parliament for carrying out the 10th article of the Ashburton treaty.

IMPORTANT DECISION IN THE CREOLE CASE.—The *N. O. Picayune*, of Dec. 30th, says, this interesting suit was decided yesterday, and Mr. M'Cargo received a verdict in his favour to the amount of 18,400 dollars. It seems that in the insurance policy, there was a clause protecting the property of the plaintiff against foreign interference; while, on the other hand, he was to be responsible for any insurrection, rebellion, or natural death that might occur among his slaves. The amount of the judge's charge to the jury was, that there had been such interference, inasmuch as the British authorities at Nassau set Mr. M'Cargo's slaves at liberty, when one of the officers of the vessel stated the circumstances of the capture of the Creole by the negroes, and demanded succour, in order that the property of the plaintiff might be preserved, and the vessel arrive safely in port. The great law point seemed to be, whether the capture of the negroes by the British was a consequence of the insurrection or not, and this was left to the jury for decision. The verdict, it is thought, will affect the other claims against the insurance companies, which altogether amount to about 100,000 dollars.—*Liberator, Jan. 27.*

HAITI.—An intelligent gentleman from Haiti, whose truth may be relied upon, says that he has a sugar establishment there, which is going on well, and bids fair to prove a profitable investment. He left Cape Hatien about a month ago. It then remained a heap of ruins; but it was, and had been, perfectly healthy, though rumour has declared otherwise. Some mercantile houses were still transacting business, and loading vessels with produce, as usual. No losses had been sustained by the earthquake, except such as arose from stone or brick buildings; and these were confined chiefly to the Cape. He says the island is increasing in population and wealth; and that individuals concerned in agriculture generally clear from 300 to 400 dollars per annum.—*N. A. S. Standard.*

TEXAS.—The southern mail has brought very important news from Mexico and Texas. You may remember that about 500 men of the Texan army, under General Somerville, revolted against him, because he would not march them into Mexico. They elected one Fisher in his stead, and went on a marauding expedition. After taking Laredo, they captured Mier, and while revelling in the town, were surrounded by the Mexicans, and all, except two, and several that were killed, taken prisoners, and marched off to Mexico to work in the mines or the streets. The Mexican commanders were Generals Ampudia and Canales. The Texan papers say that 400 Mexicans were killed, and only four Texans, but *credat Judæus apella*, &c. The above account I believe to be substantially correct. What could these marauding Texans, who revolted against their own general, expect? They entered an enemy's country without providing the means of a retreat; and of course they were surrounded, cut off, or captured.—*Morning Chronicle, 20th Feb.*

DENMARK.—By a late decree of the Danish Government, a remission of 25 per cent. of the import duties and other taxes, on the following articles, is conceded, on the fulfilment of the conditions subsequently expressed, viz.:—coffee; cocoa-nut and palm oils; rice in bales, uncleansed; raw sugar from St. Croix and foreign countries; tobacco in leaf, not manufactured; and tea. Such of the above articles as are shipped from the Danish colonies must be certified by custom-house certificate; and from foreign countries by certificate of the Danish consuls, or by the authorities residing in a transatlantic port, or in any port in Africa, or in China. The importation must be in national vessels, or vessels entitled to the privileges of the national flag; or in order to be entitled to the reduction of imports, it is further required that proof shall be given that they had antecedently imported into such transatlantic ports, or into an African port on this side the Cape of Good Hope, or into China, products of the soil or of the industry of the kingdom, to the amount of one-half of the value of their cargo.